



**Government of
Saskatchewan**

Annual Report 1998-1999

**Saskatchewan
Justice**

**Public
Disclosure
Committee**

Table of Contents

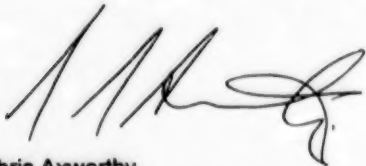
| | |
|--|---|
| Letters of Transmittal | 2 |
| Staff | 3 |
| Role of the Committee | 4 |
| Committee Hearings | |
| Applications made to the Committee | 5 |
| Activities of the Committee | |
| Meetings | 5 |
| Committee Budget | 5 |

Letter of Transmittal

His Honour the Honourable J.E.N. Wiebe
Lieutenant Governor of Saskatchewan
Government House
4607 Dewdney Avenue
Regina, Saskatchewan
S4P 3V7

Dear Sir:

The undersigned, pursuant to section 12 of *The Public Disclosure Act* is pleased to present the Public Disclosure Committee Annual Report for the period of April 1, 1998 to March 31, 1999, which was submitted to me by the Public Disclosure Committee.

A handwritten signature in black ink, appearing to read 'Chris Axworthy', with a stylized flourish at the end.

Chris Axworthy
Minister of Justice and Attorney General

Public Disclosure Committee - Staff

D. Mitchell Crumley
Sharon Leach

**Committee Administrative Office
(Law Enforcement Services)**

The Committee maintains an office at:

Public Disclosure Committee
7th Floor, 1874 Scarth Street
Regina, Saskatchewan S4P 3V7
Telephone: (306) 787-2671
Facsimile: (306) 787-8084

Role of the Committee

The public has concerns about dangerous offenders who have been released into communities after serving some or all of their sentence. One response to these concerns is to raise public awareness about a particular individual by providing information about the offender to affected individuals or communities.

The Public Disclosure Act was developed to assist the police in dealing with this important issue. The legislation was proclaimed in force November 15, 1996, and created a committee to provide non-binding advice to the police about persons who may pose a danger to the community.

On November 15, 1996, a nine-member committee was appointed to serve pursuant to the Act. The committee is presently chaired by a pastor and co-chaired by a victims worker.

Committee members include:

- a former Court of Queen's Bench Justice (past-chair);
- senior officers with the RCMP, Regina and Saskatoon Police Services;
- a psychologist;
- a victims services director;
- an aboriginal woman who has worked extensively with healing offenders, victims and communities; and
- a lawyer.

Two of the members are from Moose Jaw, one is from Prince Albert, three are from Saskatoon and three are from Regina.

Police may bring applications with respect to persons who have been convicted of one of the offences prescribed in section 3 of the Regulations and who pose a risk of serious harm to persons in a community in Saskatchewan.

The scheduled offences include:

- sexual offences against children;
- sexual assaults;
- other sexual offences like bestiality and indecent acts;
- procuring children into prostitution;
- trafficking drugs; and
- serious personal injury offences like robbery, aggravated assault and kidnapping.

Disclosure can only be recommended by the Committee when:

- the individual poses a significant risk of serious harm to other persons;
- the disclosure will assist in avoiding the risk posed by the individual; and
- the public interest in the disclosure outweighs the privacy interests of the individual.

If the release of information is recommended, the committee will also recommend what information should be released, how it should be released and to whom.

Decisions of the committee are carefully considered and are based on review of information prescribed by the Act. This information includes such things as:

- risk assessments;
- criminal records;
- likely destinations for the individual;
- descriptions of the offences the individual has committed in the past; and
- reasons the individual is believed to pose a significant risk of harm to others.

Persons that are the subject of an application to the Public Disclosure Committee are advised in advance that an application has been made, and are afforded the opportunity to make submissions to the Committee in writing or on audio or video tape.

The advice given by the Committee does not bind the police agency making the request. However, police acting in compliance with the advice are accorded immunity from suit for their good faith actions in so doing.

Committee Services

The services provided by the committee within the scope of *The Public Disclosure Act* for the 12-month period ending March 31, 1999 are:

| Fiscal Year | Number of Applications Received | Disclosure Advised | Disclosure Not Advised |
|-------------|---------------------------------|--------------------|------------------------|
| 1998-99 | 0 | 0 | 0 |

Meetings

Pursuant to section 5 of *The Public Disclosure Regulations*, the Committee is required to schedule a minimum of one meeting per month. Additional expedited meetings are held when applications are brought of an urgent nature that cannot be held in abeyance until the regularly scheduled meetings.

From April 1, 1998 to March 31, 1999, the Committee held 12 regularly scheduled meetings.

In December 1996, the Committee held its inaugural meeting in Moose Jaw, Saskatchewan. Committee members participated in a training session on risk assessment provided by Corrections Services Canada. This session was followed by an orientation to the Act and the roles and responsibilities of the committee. Members were also advised of their express obligation of confidentiality.

There was also an explanation of the security issues this position presents. Given that the committee will be dealing with some of the potentially most dangerous persons in the province, certain precautions have been taken to protect committee members from harm. These include, but are not limited to, a specific request made by the Minister of Justice on announcing the legislation that the press not publish the identities or identifying information about committee members.

At the November and December 1999 meetings of the committee, additional training in risk assessment and the recidivism of offenders was provided to committee members by Dr. Steven Wong and Dr. Terry Nicholaichuk of the Regional Psychiatric Centre in Saskatoon.

Providing Information to Police Services and the RCMP about the Committee

On November 15, 1996, Committee staff provided a package of information to all provincial police services and the RCMP. In January 1997, Committee members and staff provided a one-half day presentation to designated police representatives. The sessions were held in Regina and Saskatoon. The presentation was designed to acquaint representatives with how to prepare and file applications with the Committee.

Representatives from the RCMP and the Municipal Police Services act as liaison between the committee and their organizations, guaranteeing that these agencies are well aware of the application process.

Processing the Applications

No applications were considered by the committee in the 1998-1999 fiscal year.

Committee Budget

The expenses of the committee were absorbed into the budget of the Saskatchewan Police Commission. These expenses totalled \$6,143.68 and supported the costs of the Committee hearings and training for committee members. Administrative support was provided for the Committee by the Law Enforcement Services Branch of Saskatchewan Justice.